

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Canceled)
2. (New) A system for automatically upgrading software on a device, the system comprising:
  - a client device having memory for storing software;
  - a server having memory for storing at least one version of a client upgrade software selectively loadable to the client device and executable thereby;
  - a network providing data communication between the server and the client device;
  - a server utility stored on the server and executable thereon, the server utility capable of determining a configuration of the client device and initiating a software upgrade of the client device based on the determined configuration of the client device; and
  - a client utility stored on the client device and executable thereon, the client utility capable of determining an availability of a specific version of the client upgrade software on the server and initiating a software upgrade of the client device based on the determined availability of the specific version of client upgrade software on the server.
3. (New) The system of claim 2, wherein the client device is an automated data collection device.
4. (New) The system of claim 2, wherein the server utility stores the configuration of the client device on the server.
5. (New) The system of claim 2, wherein the client utility periodically contacts the server to determine the availability of a specific version of client upgrade software on the server.

6. (New) The system of claim 2, wherein the server utility is scheduled to contact the client device at a requested time to determine the configuration of the client device.

7. (New) The system of claim 2, wherein the software stored on the client device comprises:

- an operating system;
- an application; and
- a set of user data.

8. (New) The system of claim 7, wherein a software upgrade of the client device comprises an installation of a new operating system.

9. (New) The system of claim 8, wherein the installation of a new operating system comprises:

- an archive of the application and the set of user data of the client device on the server;
- an installation of a new version of the operating system corresponding to the configuration of the client device;
- an installation of a new version of the application optimized to the new operating system; and
- a restoration of the set of user data.

10. (New) The system of claim 2, wherein the client upgrade software is provided to the client device as a software packet comprising:

- a software distribution protocol; and
- a network protocol.

11. (New) The system of claim 2, wherein the server utility is capable of organizing a plurality of client devices into a logical group and allow for a single event to initiate a software upgrade of each of the client devices in the logical group.

12. (New) A method for automatically upgrading software on a client device, the client device having memory for storing software, the method comprising:

storing on a server at least two versions of client upgrade software selectively loadable to the client device and executable thereby;

providing data communication between the client device and the server through a network;

providing a server utility stored on the server and executable thereon, the server utility in a first instance initiating an installation of a first version of client upgrade software on the client device; and

providing a client utility stored on the client device and executable thereon, the client utility in a second instance initiating an installation of a second version of client upgrade software on the client device.

13. (New) The method of claim 12, wherein the first instance occurs prior to the second instance.

14. (New) The method of claim 12, wherein the second instance occurs prior to the first instance.

15. (New) The method of claim 12, wherein the client device is an automated data collection device.

16. (New) The method of claim 12, wherein the server utility determines a configuration of the client device.

17. (New) The method of claim 16, wherein the server utility stores the configuration of the client device on the server.

18. (New) The method of claim 12, wherein the client utility determines an availability of a specific version of client upgrade software on the server.

19. (New) The method of claim 12, wherein the software stored on the client device comprises:

- an operating system;
- an application; and
- a set of user data.

20. (New) The method of claim 19, wherein an installation of a version of client upgrade software on the client device comprises an installation of a new operating system.

21. (New) The method of claim 20, wherein the installation of a new operating system comprises:

- determining a configuration of the client device;
- archiving the application and the set of user data of the client device on the server;
- providing a version of installation software of the new operating system to the client device corresponding to the configuration of the client device;
- rebooting the client device;
- installing a version of the archived application optimized to the new operating system on the client device; and
- restoring the archived set of user data to the client device.

22. (New) The method of claim 12, wherein the client upgrade software is provided to the client device as a software packet comprising:

- a software distribution protocol; and

a network protocol.

23. (New) A method for automatically upgrading software on a client device, the client device having memory for storing software, the method comprising:

storing on a server a plurality of versions of client upgrade software selectively loadable to the client device and executable thereby;

providing data communication between the client device and the server through a network;

providing a server utility stored on the server and executable thereon, the server utility from time to time initiating an installation of a first version of client upgrade software on the client device; and

providing a client utility stored on the client device and executable thereon, the client utility from time to time initiating an installation of a second version of client upgrade software on the client device.

24. (New) The method of claim 23, wherein the time intervals between installations of client upgrade software on the client device is continuous.

25. (New) The method of claim 23, wherein the time intervals between installations of client upgrade software on the client device is periodic.

26. (New) The method of claim 23, wherein the client device is an automated data collection device.

27. (New) The method of claim 23, wherein the server utility determines a configuration of the client device.

28. (New) The method of claim 27, wherein the server utility stores the configuration of the client device on the server.

29. (New) The method of claim 23, wherein the client utility determines an availability of a specific version of client upgrade software on the server.

30. (New) The method of claim 23, wherein the software stored on the client device comprises:

- an operating system;
- an application; and
- a set of user data.

31. (New) The method of claim 30, wherein an installation of a version of client upgrade software on the client device comprises an installation of a new operating system.

32. (New) The method of claim 31, wherein the installation of a new operating system comprises:

- determining a configuration of the client device;
- archiving the application and the set of user data of the client device on the server;
- providing a version of installation software of the new operating system to the client device corresponding to the configuration of the client device;
- rebooting the client device;
- installing a version of the archived application optimized to the new operating system on the client device; and
- restoring the archived set of user data to the client device.

33. (New) The method of claim 23, wherein the client upgrade software is provided to the client device as a software packet comprising:

- a software distribution protocol; and
- a network protocol.